

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff, :

V.

WALDYR DA SILVA PRADO NETO,

Defendant.

12-CV-07094 (KPF)

**MOTION FOR COURT APPROVAL OF PROCEDURE FOR CLOSING
AND DISTRIBUTION OF SALE PROCEEDS**

August 5, 2014

Scott M. Dimond, Esq.
Court-appointed Receiver
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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of Court-Appointed Receiver Scott M. Dimond (the "Receiver"), the Receiver shall move this Court before the Honorable Katherine Polk Failla, United States District Judge, in Courtroom 618, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for an order approving the Receiver's proposal to modify the protocol governing closing of the sale of that real property located at 6103 Aqua Avenue, Unit 703, Miami Beach, Florida, APN 02-3211-077-0290 (the "Property") and further approving the Receiver's proposed Plan of Distribution of funds from the closing.

As detailed in the accompanying memorandum, because the Receiver requires Court approval of certain distributions in order to close on the sale of the Property, the Receiver seeks the Court's advance approval of distributions that would ordinarily be made as part of the closing of the sale of the Property and further seeks Court approval to provide the Receiver with discretion to make other distributions that may become necessary to close on the sale of the Property (within certain parameters, as detailed in the memorandum). The closing on the Property would occur on September 10, 2014 if the Court approves the requested distributions.

Respectfully submitted,

By: 
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